

REMARKS

This Preliminary Amendment in response to the final Office Action of August 19, 2010 is being timely filed together with a Petition for a three-month extension of time and a Request for Continued Examination (RCE).

Reconsideration is respectfully requested.

Status of the Claims

Claims 1 - 24, 26 - 28, 31 and 32 are presently pending, with claims 6, 16 - 24, 26 - 28, 31 and 32 having previously been withdrawn from consideration and claims 25, 29 and 30 having previously been cancelled. Applicant amends claims 1, 8 and 10 - 15. No new matter is introduced. Support for these amendments can be found, for example, at page 16, lines 21-23, page 17, lines 13 - 16 and page 40, lines 12-23 of Applicant's specification.

Rejections Under 35 U.S.C. § 112

Claims 1 - 5 and 7 - 15 are rejected under the first paragraph of 25 U.S.C. 112. Specifically, the Examiner finds that elements of claims 1 and 13 fail to meet the written description and enablement requirements. With reference to claim 1, the Examiner finds that the specification fails to teach the claim element "monitoring and control of said remote devices without use of a switch." Applicant amends this claim element to read "monitoring and control of ones of said said remote devices directly by ones of said user stations without use of a central switch," with support for example at page 16, lines 21-23 of the specification.

With reference to claim 13, the Examiner finds that the specification fails to teach the claim element "said list is automatically updated with one or more additional remote devices without changing operational modes." Applicant amends this claim element to read "wherein said displayed list is automatically updated when with one or more additional remote devices join the peer-to-peer network ~~without changing operational modes~~," with support for example at page 17, lines 13 - 16 of the specification.

Accordingly, Applicants respectfully request that the rejections of claims 1 - 5 and 7 - 15 under the first paragraph of 35 U.S.C. § 112 be withdrawn.

Claims 1 - 5 and 7 - 15 are rejected under the second paragraph of 35 U.S.C. 112 as being indefinite. In particular, in reference to claim 1, the Examiner finds that a number of terms lack sufficient antecedent basis. Applicant amends claim 1 to provide sufficient antecedent basis for these terms. The Examiner in addition finds that the term “where appropriate” is indefinite. Applicants amend claim 1 to delete this term. Finally, with reference to claim 1, the Examiner finds that the term “use of a switch” is indefinite because it fails to set forth and steps that would be used in an associated method or process. This term appears in a limitation that as amended reads:

wherein each of said first and second wireless communication devices is configured to condition keyboard-video-mouse signals to operate in a peer-to-peer network, thereby enabling ones of said user stations to monitor and control ones of said said remote devices directly without using a central switch to control connection between any one of said first transceivers and said second transceivers;

Applicant submits that the limitation as amended clearly claims a peer-to-peer network that enables user stations to monitor and control remote devices directly without an intermediary central switch, and is not indefinite.

With reference to claim 13, the Examiner finds that the term “changing operational modes” in claim 13 lacks sufficient antecedent basis. Applicants amend claim 13 to delete this term.

Accordingly, Applicants respectfully request that the rejections of claims 1 - 5 and 7 - 15 under the second paragraph of 35 U.S.C. § 112 be withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 1 - 5 and 7 - 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,304,895 to Schneider et al. in view of U.S. Patent Publication No. 2002/0095594 A1 to Dellmo et al. and Applicant's admitted prior art (AAPA). Applicant

amends claims 1, 8 and 10 - 15 to further clarify the nature of his invention, and respectfully traverses the rejection of claims 1 - 5 and 7 - 15 under 35 U.S.C. § 103(a).

Schneider discloses a KVM system that includes a controlling computer 12 that is able to communicate with a controller 50 (for example, wirelessly) that controls communications to series of target devices 20 via one or more switches 74 (see, e.g., FIG. 1A of Schneider). The configuration disclosed by Schneider does not operate in a peer-to-peer network as in independent claim 1. The Examiner suggests that this deficiency is overcome with the addition of Dellmo, which discloses a secure wireless LAN that may be provided in a peer-to-peer configuration (see, e.g., FIG. 4 Dellmo). AAPA also discusses peer-to-peer networks generally (see, e.g., pages 7, 8, 13 and 14 of Applicant's specification).

As is typical, for example, for IEEE 802.11 wireless networks, the system claimed in amended independent claim 1 operates to broadcast a connection request message from a user station to a selected remote terminal over a broadcast channel, in order to identify a second channel over which communications between the user station and the remote device can be established to enable the user station to control the selected remote terminal. Because it is desirable in the claimed system for only one user station to establish control over a given remote device at a particular time, the system configures a wireless communication device coupled to the remote device to determine whether the remote device is currently under the control of another user device, and to transmit a denial message in response to the connection request message when the remote device is under the control of the other user device (see, e.g., page 40, lines 12-23 of the specification). Applicant respectfully submits that none of the cited references, either alone or in combination, teach or suggest this feature of Applicant's amended independent claim 1.

For at least this reason, Applicant submits that amended independent claim 1 is not obvious in view of the cited references and stands in condition for allowance. As claims 2 - 5 and 7 - 15 each depend either directly or indirectly from allowable independent claim 1, Applicant submit that dependent claims 2 - 5 and 7 - 15 are also allowable for at least this reason.

Therefore, and for at least the above-argued reasons, Applicant respectfully submits that claims 1 - 5 and 7 - 15 stand in condition for allowance. Accordingly, Applicant respectfully requests that the rejections of claims 1 - 5 and 7 - 15 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION


In view of the foregoing, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Authorization is hereby given to charge Deposit Account no. 03-3839 for any underpayment, or to credit any overpayments.

Please address all correspondence to the correspondent address for **Customer No. 26345 of Intellectual Docket Administrator, Gibbons P.C.**, One Gateway Center, Newark, NJ 07102. The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

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Respectfully submitted,

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